

REMARKS

The final action of August 25, 2005 and the Advisory Action of November 28, 2005 amendment have been received and their contents carefully studied. In view of the present amendments and remarks, reconsideration of the rejections of the claims is respectfully requested.

The final Office Action rejected claims 1-15 under 35 USC § 103(a) as being unpatentable over *Roper et al* (EP 0616455A2) in view of *Degermark et al* ("Low-loss TCP/IP header compression for wireless networks"). The limitations of claim 3 are now inserted into independent claims 1 and 15.

Respectfully, neither of the above-referenced documents discloses a method of communicating a message in which the format of each data segment is selected from one of a first segment format and a second segment format in dependence on the quality of the data path, comprising a step of selecting a first format with increasing frequency when the quality of the link decreases. The independent claims are now amended to more particularly point out and clarify these features of the present invention. No new matter is introduced, and all amendments are fully supported by the specification.

The feature of selecting a particular segment format with increasing frequency when the quality of the data link decreases is described at page 10, paragraph 3 of the application. This feature enables robust transmission of data packets to be achieved efficiently by dynamically tailoring the amount of control information transmitted with the message data to the quality of the data path. By increasing the frequency with which segments including a larger amount of control information is transmitted, the amount of control information transmitted can be flexibly tailored to the current quality of the data path.

Roper discloses that a message may be divided into segments of different lengths which may then be transmitted in compressed or uncompressed forms. *Roper* also discloses that the performance of the network may be monitored to determine the optimum segment size for each link (see col. 3, lines 30-38). The characteristics of the link may also be used to determine whether to compress the message (col. 7, lines 28-34). However, *Roper* only uses characteristics of the link to determine whether compression is

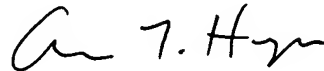
required. It does not alternate between packets having a compressed header and an uncompressed header to flexibly tailor the amount of control information transmitted to the quality of the data path. Therefore, *Roper* does not suggest the step of claim 1 of selecting a first format with increasing frequency when the quality of the link decreases.

Degermark discloses a form of header compression for use in wireless networks, in which the amount of control information included in data packets may be altered by switching between a compressed and a decompressed header. *Degermark* also discloses that successive packets may switch between a full header and a compressed header to allow for “compression slow start” when compression begins and when a header changes (see section 3.2 and fig. 1). However, *Degermark* does not disclose selecting between a compressed and uncompressed header in dependence on the quality of a data path. In particular, *Degermark* does not disclose a full header being used with a frequency that is dependent on the quality of a data path. Therefore, *Degermark* neither teaches nor suggests the step of claim 1 of selecting a first format with increasing frequency when the quality of the link decreases.

If a person skilled in the art were to combine the teachings of *Roper* and *Degermark*, he would still not conceive of a method for communicating a message over a data path, as claimed in claim 1, because neither of these documents teaches or suggests the step of claim 1 of selecting a first format with increasing frequency when the quality of the link decreases. Therefore, Applicants believe that claim 1 is both novel and inventive over these documents.

The rejections of the official action of August 25, 2005, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-2 and 4-15 to issue is earnestly solicited.

Respectfully submitted,



Andrew T. Hyman
Attorney for the Applicant
Registration No. 45,858

January 25, 2006
ATH/mbh
WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, PO Box 224
Monroe CT 06468
(203) 261-1234